

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
ERIE DIVISION

DEMETRIUS BROWN, )  
Plaintiff, )  
                )  
                )  
                )  
v.                 ) C.A. No. 04-379 Erie  
                )  
U.S JUSTICE DEPT. et. al., )  
Defendants.        )

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**PETITION TO EFFECT NEW SERVICE OF  
PROCESS/SUMMONS UPON DEFENDANT**

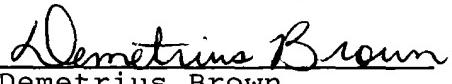
**COMES NOW, DEMETRIUS BROWN,** herein as Plaintiff, proceeding Pro-Se, hereby petitions this Honorable Court, the United States District Court for the Western District of Pennsylvania, Erie Division to Effect New Service of Process/Summons upon Defendant pursuant to Fed.R.Civ.P. Rule 4(a).

In support, Plaintiff affirms that on the face of the record, he was denied due service of process. That, the U.S. Marshals Service have failed to discharge duty by servicing Defendant- **Dr. Newton E. Kendig, Medical Director** at the proper address prescribed by the summons, that being, **Home Owners Loan Corporation Building, 320 First Street, N.W., Washington, D.C. 20534.** See **Exhibit A.** That, instead, the U.S. Marshals Service erroneously directed service upon Dr. Newton E. Kendig at the Office of General Counsel & Review

Health Services Division, Federal Law Enforcement Training Center,  
Glynco, GA. 31524. See **Exhibit B.**

For this reason, Petitioner requests that the U.S. Marshals Service be ordered to effect new service of process personally upon Dr. Newton E. Kendig, at his place of employment which is at Home Owners Loan Corporation Building, 320 First Street, N.W., Washington, D.C. 20534.

Respectfully submitted,

  
Demetrius Brown  
Demetrius Brown  
Reg. No. 21534-039  
FCI RayBrook  
P.O. Box 9001  
RayBrook, NY. 12977

PROOF OF SERVICE

I, DEMETRIUS BROWN, do swear or declare that on this date, December 13, 2005, as required by Fed.R.Civ.P. Rule 5(a), I have served the enclosed Petition to Effect New Service of Process/ Summons upon Defendant- Dr. Newton E. Kendig, Medical Director, on each party to the above proceeding or that of party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in FCI RayBrook's internal mail system for mail in the United States, mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as follows:

Megan E. Farrell  
Assistant U.S. Attorney  
Western District of PA  
700 Grant St. Suite 4000  
Pittsburgh, PA. 15219  
(412)894-7429  
PA ID #76972

Counsel for Defendants

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 13, 2005

Demetrius Brown  
Demetrius Brown  
Reg. No. 21534-039  
FCI RayBrook  
P.O. Box 9001  
RayBrook, NY. 12977